

## The Rule of Law Through Colorado Legal History, Judicial Milestones, Ralph Carr Learning Center<sup>1</sup>

Year	Milestone
<b>1. Treaties and Congressional Acts Shaping Colorado</b>	
1776	<i>Declaration of Independence</i> declares legal break from Britain and asserts that all men are created equal and are endowed with certain unalienable rights that include life, liberty, and the pursuit of happiness. <sup>2</sup>
1789	<i>Ratification of Constitution, together with the Bill of Rights</i> , establishes the original charter for the government of the United States starting with thirteen states (the original colonies). <sup>3</sup>
1803	<i>Marbury v. Madison</i> <sup>4</sup> decision of the U.S. Supreme Court authored by Chief Justice John Marshall defines the role of the judicial branch of government in reviewing the constitutionality of laws. <sup>5</sup>
1803	<i>Louisiana Purchase Treaty</i> with France adds lands to the United States up the Arkansas River to the Continental Divide and north up the Rocky Mountain Range where the Arapahoe, Cheyenne, and other Plains Indians are living. <sup>6</sup>
1848	<i>Treaty of Guadalupe Hidalgo</i> with Mexico adds lands to the United States out of Native American and Mexican lands where the Ute Indians are living. <sup>7</sup>
1854	<i>Kansas–Nebraska Act of 1854</i> opens what had been permanent Indian territory to settlement. The Act provides that white male voters in the Western territories may decide on slavery or freedom for African-American descendants of slaves. <sup>8</sup>
1857	<i>Dred Scott</i> decision by the U.S. Supreme Court voids the Kansas–Nebraska Act and prohibits Western territories and states from preventing slavery within their boundaries. <sup>9</sup>
1861	<i>Colorado Territory</i> is created by Congress out of Territories of Nebraska, Kansas, New Mexico, and Utah, including the Continental Divide potential gold-bearing area, as the South secedes from the Union. <sup>10</sup>
1876	<i>State of Colorado</i> is admitted to the Union by Congress on equal footing with all other states, with the right to have its own legislative, executive, and judicial branches of government. <sup>11</sup>
<b>2. <a href="#">Colorado's Native American Heritage</a></b>	
1864	<i>Sand Creek Massacre</i> . Colorado Cavalry, under the command of Colonel John Chivington, massacres at least 150 Cheyenne and Arapaho men, women, and children at Sand Creek in 1864. The Sand Creek Massacre National Historic Site was established in 2007 as a place of healing and remembrance, not only for the descendants of the Cheyenne and Arapaho but also for marginalized victims of atrocities worldwide. <sup>12</sup>
1867	<i>Cheyenne and Arapaho are relocated</i> by treaty from eastern Colorado to Indian territory in future Oklahoma. <sup>13</sup>
1868	<i>1868 Ute Indian Treaty creates reservation</i> comprising western third of Colorado and reserves water for future Ute uses. <sup>14</sup>

1. Historians, law professors, lawyers, teachers, judges, and public officials who were consulted in assembling this timeline under the leadership of Dr. Susan Schulten, Chair of the History Department of the University of Denver, include Thomas G. Andrews, Megan C. Bertron, Wesley A. Brown, Russell Carparelli, Bill Convery, Daniel B. Cordova, Susan D. Daggett, Janice B. Davidson, Brooke Depenbusch, Elizabeth Escobedo, Mark Fiege, Gregory J. Hobbs Jr., Ernest House Jr., Sam Kamin, Patricia N. Limerick, Monica M. Márquez, Viva Moffat, Thomas J. Noel, Jared Orsi, William Philpott, David Prince, Nancy E. Rice, Tom I. Romero II, Steven C. Schulte, Thomas H. Shippis, Duane A. Smith, Joseph Turnage, and Michael Welsh.

2. THE DECLARATION OF INDEPENDENCE, 1 Stat. 1 (1776).

3. U.S. CONST. art. VII.

4. 5 U.S. (1 Cranch) 137 (1803).

5. *Id.* at 138.

6. Louisiana Purchase Treaty, U.S.-Fr., Apr. 30, 1803, 8 Stat. 200.

7. Treaty of Guadalupe Hidalgo, U.S.-Mex., Feb. 2, 1848, 9 Stat. 922.

8. Kansas-Nebraska Act, ch. 59, 10 Stat. 277, 283–84 (1854).

9. *Dred Scott v. Sanford*, 60 U.S. (19 How.) 393 (1857), *superseded by constitutional amendment*, U.S. CONST. amend. XIV.

10. Act of Feb. 28, 1861, ch. 59, 12 Stat. 172.

11. Enabling Act of Congress, ch. 139, 18 Stat. 474 (1875).

12. *Sand Creek Massacre*, NAT'L PARK SERVICE, <http://www.nps.gov/sand/index.htm> (last updated Mar. 11, 2013).

13. Treaty between the United States of America and the Cheyenne and Arapahoe Tribes of Indians, Oct. 28, 1867, 15 Stat. 593.

14. Treaty between the United States of America and the Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah Bands of Ute Indians, Mar. 2, 1868, 15 Stat. 619.

Year	Milestone
1874	<i>1874 Brunot Agreement cedes San Juan Mountains</i> from Ute Tribes to the United States for mineral development. <sup>15</sup>
1879	<i>Meeker incident reduces Ute reservation lands.</i> Killing of Indian Agent Nathan Meeker, original organizer of Greeley's Union Colony, leads to revocation of a large portion of the 1868 Ute Reservation, opening up lands from Ouray to Grand Junction for homesteading. Four bands of Utes are removed to Utah. Three bands of Utes are limited to a seventy-five-mile strip of land in the southwestern corner of Colorado for Southern Ute and Ute Mountain Ute Reservations. <sup>16</sup>
1899	<i>Southern Ute land allotment order</i> by President McKinley begins to break up this tribal reservation by means of individual land allotments to members of the Southern Ute Tribe, opening up all remaining lands to non-Indian homesteading. <sup>17</sup>
1924	<i>Native American U.S. citizenship</i> is recognized by Congress. <sup>18</sup>
1934	<i>Congress recognizes tribal constitutions, laws, and courts.</i> <sup>19</sup>
1988	<i>Colorado Ute Indian Reserved Water Rights Settlement Act of 1988</i> leads to the construction of the Animas-La Plata Water Project built by the U.S. Bureau of Reclamation through a construction consortium of the Southern Ute and Ute Mountain Ute Tribes. <sup>20</sup>
Today	<i>Southern Ute and Ute Mountain Ute Tribes today.</i> The Southern Ute Tribe operates a new visitors' center and museum in Ignacio, Colorado, featuring Ute cultural and legal history, along with Ute development of the tribe's energy resources. <sup>21</sup> The Ute Mountain Ute Tribe continues its successful construction company enterprise and its highly productive farm and ranch operation near Towaoc, Colorado, along with inviting visitors to its tribal park featuring spectacular ancestral Pueblo cliff dwellings and legendary petroglyphs. <sup>22</sup>
<b>3. Colorado's Hispanic Heritage</b>	
1821	<i>Mexican Independence</i> wrests control of what would become southern and western Colorado from Spain. Soon thereafter, Mexico rapidly expands the Spanish practice of making land grants to persons to foster settlement. <sup>23</sup>
1848	<i>Recognition of Mexican land grants</i> is required by the Treaty of Guadalupe Hidalgo, protecting property and citizenship rights of Hispano settlers on lands that become a part of New Mexico Territory and, later, Colorado Territory. <sup>24</sup>
1852	<i>San Luis People's Ditch is constructed.</i> Oldest continuous water right in Colorado is constructed on lands of the Sangre de Cristo Land Grant in the San Luis Valley as part of the acequia system of community water distribution. <sup>25</sup>
1876	<i>Laws are printed in English as well as in Spanish and German</i> under mandate of the Colorado constitution until the year 1900. <sup>26</sup>
2002	<i>Land grant rights are upheld</i> by the Colorado Supreme Court for timber, firewood, and grazing use on the Sangre de Cristo Land Grant by descendants of the original settlers. <sup>27</sup>
2009	<i>Acequia community water ditches are recognized</i> by Colorado General Assembly. <sup>28</sup>
<b>4. Federal Lands Opened for Settlement</b>	

15. Brunot Agreement, ch. 136, 18 Stat. 36 (1874).

16. Act of June 15, 1880, ch. 223, 21 Stat. 199.

17. William McKinley, Proclamation No. 436 (Apr. 13, 1899), available at <http://www.presidency.ucsb.edu/ws/index.php?pid=69259>.

18. Act of June 2, 1924, ch. 233, 43 Stat. 253.

19. Act of June 18, 1934, ch. 576, 48 Stat. 984.

20. Colorado Ute Indian Water Rights Settlement Act of 1988, Pub. L. No. 100-585, 102 Stat. 2973.

21. S. UTE INDIAN TRIBE, <http://www.southernute-nsn.gov> (last visited Apr. 25, 2013).

22. UTE MOUNTAIN: UTE MOUNTAIN UTE TRIBE, <http://www.utemountainute.com> (last visited Apr. 25, 2013).

23. See 1 PAUL HORGAN, GREAT RIVER, THE RIO GRANDE IN NORTH AMERICAN HISTORY: INDIANS AND SPAIN 436-37 (1954); LOREN E. MALL, PUBLIC LAND AND MINING LAW 6-7 (3d ed. 1981).

24. Treaty of Guadalupe Hidalgo, U.S.-Mex., Feb. 2, 1848, 9 Stat. 922.

25. CARL UBBELOHDE ET AL., A COLORADO HISTORY 187 (9th ed. 2006).

26. COLO. CONST. art. XVIII, § 8 (amended 1990).

27. *Lobato v. Taylor*, 71 P.3d 938 (Colo. 2002).

28. Act of Apr. 22, 2009, ch. 168, 2009 Colo. Sess. Laws 738.

Year	Milestone
1861	<i>First territorial land and water laws</i> by the Colorado Territorial Legislature recognize the rights of settlers to use land, water, minerals, timber, and other natural resources on federal lands and claim privately owned property rights pertaining to such resources. <sup>29</sup>
1862	<i>Colorado militia defeats Texas Confederates</i> at the Battle of Glorieta Pass outside of Santa Fe, repelling an attempted invasion of Colorado gold fields. <sup>30</sup>
1862	<i>Homestead Act of 1862</i> of Congress allows settlers to obtain a patent (title) to 160 acres of federal land by living on it for five years. <sup>31</sup> It leads to 22,146,400 acres of land in Colorado becoming privately owned. <sup>32</sup>
1872	<i>General Mining Act of 1872</i> of Congress allows miners to own hard rock mineral rights on federal lands. <sup>33</sup>
<b>5. Colorado Courts Created</b>	
1859	<i>Miners' courts</i> spring up in the newly discovered gold regions of western Kansas Territory to resolve disputes. <sup>34</sup>
1861	<i>Territorial supreme court, district courts, probate courts, and justices of the peace</i> are established by Congress. <sup>35</sup>
1876	<i>State supreme court, district courts, county courts, and justices of the peace</i> are established by the Colorado constitution. <sup>36</sup>
1891	<i>Colorado Court of Appeals</i> is established by the Colorado legislature. <sup>37</sup>
1897	<i>Colorado Bar Association</i> is organized. <sup>38</sup>
1899	<i>First juvenile laws</i> are adopted by the Colorado legislature. <sup>39</sup>
1903	<i>Juvenile court</i> is established by the Colorado legislature. <sup>40</sup>
<b>6. Rights of Women</b>	
1861	<i>Property rights for married women</i> are expanded by the Colorado legislature. <sup>41</sup>
1893	<i>Women's right to vote</i> is established by Colorado voters. <sup>42</sup>
1944	<i>Women's right to jury service</i> is established by Colorado voters. <sup>43</sup>
1967	<i>Women's right to terminate pregnancy</i> is established by the Colorado legislature in cases of rape, incest, or threat to the health of the woman. <sup>44</sup>
2000	<i>"Bubble Bill"</i> is upheld by the Colorado Supreme Court, affirming the Colorado legislature's provision of protective space for women entering and leaving health care clinics to terminate pregnancy. <sup>45</sup>
<b>7. Civil Rights Laws</b>	
1867	<i>Territorial Suffrage Act</i> by Congress eliminates race, color, or previous condition of servitude as disqualifying conditions for voting by men in Colorado and other Western territories. Passed in large measure due to advocacy by African-Americans in Colorado, the law allowed black men to vote in the territories three years before ratification of the Fifteenth Amendment. <sup>46</sup>

29. Act of Nov. 5, 1861, 1861 Colo. Sess. Laws 67–69; Act of Nov. 7, 1861, 1861 Colo. Sess. Laws 168.

30. UBBELOHDE ET AL., *supra* note 46, at 100.

31. Act of May 20, 1862, ch. 75, 12 Stat. 392.

32. UBBELOHDE ET AL., *supra* note 46, at 252.

33. Act of May 10, 1872, ch. 149, 17 Stat. 91.

34. CARL ABBOTT ET AL., COLORADO: A HISTORY OF THE CENTENNIAL STATE 62–63 (3d ed. 1994).

35. Act of Feb. 28, 1861, ch. 59, 12 Stat. 174.

36. COLO. CONST. art. VI, § 1 (repealed and reenacted 1961).

37. Act of Apr. 6, 1891, ch. 121, 1891 Colo. Sess. Laws 118 (repealed and reenacted).

38. Christopher R. Brauchli, *The Colorado Bar Association: A Brief History*, COLO. LAW., June 1997, 1, 1–2.

39. Act of Apr. 12, 1899, ch. 136, 1899 Colo. Sess. Laws 340.

40. Act of Mar. 7, 1903, ch. 85, 1903 Colo. Sess. Laws 178.

41. An Act to Protect the Rights of Married Women, 1861 Colo. Sess. Laws 152.

42. Act of Apr. 7, 1893, ch. 83, 1893 Colo. Sess. Laws 256; *see also* COLO. CONST. art. VII, § 1.

43. COLO. CONST. art. II, § 23 (amended 1944); Act of Mar. 22, 1943, ch. 158, 1945 Colo. Sess. Laws 424.

44. Act Relating to Abortion, ch. 190, 1967 Colo. Sess. Laws 284.

45. Hill v. Colorado, 530 U.S. 703, 707–14 (2000).

46. Act of Jan. 25, 1867, ch. 15, 14 Stat. 379–80.

Year	Milestone
1868	<i>Fourteenth Amendment to U.S. Constitution</i> applies due process and equal protection of the law guarantees to state and local governmental action. <sup>47</sup>
1876	<i>Racial discrimination in public schools is prohibited</i> by the Colorado constitution. <sup>48</sup>
1895	<i>Civil Rights Act</i> of the Colorado legislature provides that all persons be entitled to the full and equal enjoyment of all places of public accommodation, such as restaurants, barbershops, theaters, and transport conveyances. <sup>49</sup>
1920	<i>Racially restrictive housing covenants</i> begin to be adopted by Colorado cities. They are upheld by the Colorado and U.S. Supreme Courts. <sup>50</sup>
1942	<i>Interracial marriage ban</i> is upheld by the Colorado Supreme Court in <i>Jackson v. City and County of Denver</i> . <sup>51</sup>
1948	<i>Racially restrictive housing covenants are prohibited</i> . <sup>52</sup>
1951	<i>Colorado Anti-Discrimination Act of 1951</i> is adopted by the Colorado legislature, establishing the state's first fair employment law for public employees and creating an anti-discrimination division within the Colorado Industrial Commission. <sup>53</sup>
1957	<i>Colorado repeals ban on interracial marriage</i> and brings public accommodations and private employers under the jurisdiction of the Colorado Anti-Discrimination Commission. <sup>54</sup>
1959	<i>Fair housing law</i> of the Colorado legislature is the first in the United States to prohibit discrimination in both public and private housing based on race, creed, color, national origin, or ancestry. <sup>55</sup>
1963	<i>Refusal to hire based on race is prohibited</i> by the U.S. Supreme Court in a Colorado case. <sup>56</sup>
1973	<i>Segregation in the Denver Public Schools is prohibited</i> by the U.S. Supreme Court. <sup>57</sup>
1992	<i>Colorado voters ban legislation for gay rights</i> by adopting a state constitutional amendment (Amendment 2) prohibiting state and local governmental agencies from enacting legislation or policies that would prohibit discrimination against "homosexual, lesbian or bisexual" persons. <sup>58</sup>
1996	<i>Ban on legislation for gay rights is prohibited</i> by Colorado and U.S. Supreme Court decisions. <sup>59</sup>
<b>8. Business and Labor Laws</b>	
1862	<i>Businesses are allowed to incorporate</i> by the Colorado legislature. <sup>60</sup>
1876	<i>Employees are protected against employer-caused personal injury</i> by provisions of the Colorado constitution allowing businesses to incorporate and making employers liable for personal injury they cause to employees. <sup>61</sup>
1893	<i>Eight-hour workday for public employees</i> is adopted by the Colorado legislature. <sup>62</sup>
1899	<i>Eight-hour workday for miners is invalidated</i> by the Colorado Supreme Court. <sup>63</sup>
1905	<i>Eight-hour workday for miners is adopted</i> by the Colorado legislature. <sup>64</sup>
1907	<i>Working-hours regulation is upheld</i> by the Colorado Supreme Court. <sup>65</sup>
1911	<i>Child labor laws are adopted</i> by the Colorado legislature. <sup>66</sup>

47. U.S. CONST. amend. XIV, § 1.

48. COLO. CONST. art. IX, § 8 (amended 1974).

49. Act of April 9, 1895, ch. 61, 1895 Colo. Sess. Laws 139, 139–141.

50. *Steward v. Cronan*, 98 P.2d 999, 999 (Colo. 1940); *Chandler v. Ziegler*, 291 P. 822, 823–24 (Colo. 1930) (involving a Lakewood, Colorado case).

51. 124 P.2d 240, 241 (Colo. 1942).

52. *Shelley v. Kraemer*, 343 U.S. 1, 13 (1948).

53. Colorado Anti-Discrimination Act of 1951, 1951 Colo. Sess. Laws 531–39.

54. Act of March 13, 1957, ch. 176, 1957 Colo. Sess. Laws 492.

55. Colorado Fair Housing Act of 1959, ch. 148, 1959 Colo. Sess. Laws 489, 489–97.

56. *Colo. Anti-Discrimination Comm'n v. Cont'l Air Lines, Inc.*, 372 U.S. 714, 720–25 (1963).

57. *Keyes v. Sch. Dist. No. 1*, 413 U.S. 189, 195 (1973); *Keyes v. Sch. Dist. No. 1*, 445 F.2d 990, 999 (10th Cir. 1971).

58. COLO. CONST. art. II, § 30(b) (adopted in statewide referendum in 1992), *invalidated* by *Romer v. Evans*, 517 U.S. 620, 635 (1996).

59. *Romer*, 517 U.S. at 635 (1996); *Romer v. Evans*, 882 P.2d 1335, 1343–44 (Colo. 1994).

60. Act of Aug. 15, 1862, 1862 Colo. Sess. Laws 44, 44 (enabling companies to become corporate bodies).

61. COLO. CONST. art. XV, §§ 2, 15 (adopted in state constitutional convention and passed by popular election in 1876).

62. Act of Mar. 27, 1893, ch. 112, 1893 Colo. Sess. Laws 305, 305.

63. *In re Morgan*, 58 P. 1071, 1083–84 (Colo. 1899).

64. Act of Mar. 21, 1905, ch. 119, 1905 Colo. Sess. Laws 284, 284.

65. *Burcher v. People*, 93 P. 14, 17 (Colo. 1907).

Year	Milestone
<b>9. Progressive Conservation: One-third of Colorado Preserved</b>	
1891	<i>Forest Reserve Act of 1891</i> is passed by Congress. <sup>67</sup> Soon thereafter, President Harrison creates two-million-acre White River Reserve, the second timber reserve in the nation and the first in Colorado.
1897	<i>National Forest Organic Act of 1897</i> , expanding on the Forest Reserve Act, leads to the creation of fourteen million acres of forest reserves in Colorado to be managed by U.S. Forest Service. <sup>68</sup>
1934	<i>Taylor Grazing Act of 1934</i> pioneers regulated use of eight million acres in Colorado by the Bureau of Land Management. Farrington Carpenter of Colorado becomes the first director, overseeing a grazing permit system that becomes the basis for modern cattle industry. <sup>69</sup>
1976	<i>Federal Land Policy and Management Act of 1976</i> requires permits to use Bureau of Land Management lands, triggering application of all federal environmental requirements. <sup>70</sup>
1976	<i>National Forest Management Act of 1976</i> requires formulation of management plans for uses of national forest lands. <sup>71</sup>
<b>10. Water Rights System Established</b>	
1861	<i>Water law is adopted</i> by the Colorado Territorial Legislature, providing for the establishment of agricultural water use rights and ditch rights-of-way across public and private lands to farms. <sup>72</sup>
1864	<i>Prior appropriation is recognized</i> by the Colorado Territorial Legislature as governing water rights. <sup>73</sup>
1866	<i>1866 Mining Act</i> allows states and territories to create use rights in waters of the public domain and allows ditch and reservoir construction on land owned by the United States. <sup>74</sup>
1876	<i>Public ownership of water subject to appropriation</i> by public agencies and private persons in order of priority is established by the Colorado constitution for surface water and tributary groundwater. Constitution also provides for private right of condemnation, with payment of just compensation for rights-of-way necessary to store and convey water to place of use. <sup>75</sup>
1881	<i>Water rights adjudications</i> by Colorado courts is authorized by the Colorado legislature to determine priority, amount, location, and use of water rights. <sup>76</sup>
1907	<i>Equitable apportionment of interstate streams</i> is applied by the U.S. Supreme Court in <i>Kansas v. Colorado</i> . <sup>77</sup>
1922	<i>Colorado River Compact is negotiated</i> by the seven Colorado River Basin states and subsequently approved by the state legislatures and Congress under the Compact Clause of the U.S. Constitution, apportioning interstate waters for beneficial uses in perpetuity among the signatory states. <sup>78</sup> Eight additional interstate compacts are later approved. <sup>79</sup>
1952	<i>McCarran Amendment</i> allows state courts to adjudicate federal and tribal reserved water rights for national parks and monuments, and Indian reservations. <sup>80</sup>
1969	<i>Seven water courts</i> are established by the Colorado legislature in major river basins within Colorado. <sup>81</sup>

66. Child Labor Law, ch. 95, 1911 Colo. Sess. Laws 232.

67. Forest Reserve Act of 1891, ch. 561, 26 Stat. 1095, 1103.

68. National Forest Organic Act of 1897, ch. 2, 30 Stat. 32, 36.

69. Act of June 28, 1934, ch. 865, 48 Stat. 1269, 1269.

70. Federal Land Policy and Management Act of 1976, Pub. L. 94-579, 90 Stat. 2743.

71. National Forest Management Act of 1976, Pub. L. 94-588, 90 Stat. 2949.

72. Act of Nov. 5, 1861, 1861 Colo. Sess. Laws 67, 67-69.

73. Act of Mar. 11, 1864, 1864 Colo. Sess. Laws 49, 58.

74. Act of July 26, 1866, ch. 262, 14 Stat. 251, 253.

75. COLO. CONST. art. II, §§ 14-15; COLO. CONST. art. XVI, §§ 5-7 (adopted in state constitutional convention and passed by popular election in 1876).

76. Act of Feb. 23, 1881, 1881 Colo. Sess. Laws 142, 142-46.

77. 206 U.S. 46, 117-18 (1907).

78. Colorado River Compact, COLO. REV. STAT. § 37-61-101 (2012).

79. La Plata River Compact, COLO. REV. STAT. § 37-63-101 (2012); South Platte River Compact, COLO. REV. STAT. § 37-65-101 (2012); Rio Grande River Compact, COLO. REV. STAT. § 37-66-101 (2012); Republican River Compact, COLO. REV. STAT. § 37-67-101 (2012); Upper Colorado River Compact, COLO. REV. STAT. § 37-62-101 (2012); Arkansas River Compact, COLO. REV. STAT. § 37-69-101 (2012); Amended Costilla Creek Compact, COLO. REV. STAT. § 37-68-101 (2012); Animas-La Plata Project Compact, COLO. REV. STAT. § 37-64-101 (2012).

80. Department of Justice Appropriation Act of 1953, ch. 651, 66 Stat. 556, 560 (1952).

81. Water Rights Determination and Administration Act of 1969, ch. 373, 1969 Colo. Sess. Laws 1200, 1202-03.

Year	Milestone
<b>11. Education Laws Adopted</b>	
1861	<i>Comprehensive school law</i> is adopted by the Colorado legislature. <sup>82</sup>
1862	<i>First public schools</i> are funded by the Colorado legislature. <sup>83</sup>
1876	<i>Thorough and uniform system of free public schools</i> is established by the Colorado constitution. <sup>84</sup>
1877	<i>Public lands reserved for producing income for public schools</i> are selected by the Colorado legislature and managed by state land commissioners in accordance with the Colorado constitution. <sup>85</sup>
<b>12. Health and Environment Protected</b>	
1876	<i>Forest Protection Clause</i> is included in the Colorado constitution. <sup>86</sup>
1964	<i>Wilderness Act of 1964</i> of Congress leads to creation of numerous wilderness areas in Colorado. <sup>87</sup>
1970	<i>Clean Air Acts</i> of Congress and the Colorado legislature are adopted to protect public health and welfare. <sup>88</sup>
1972	<i>Clean Water Acts</i> of Congress and the Colorado legislature are adopted to protect public health and drinking water, and agricultural, recreational, and environmental water uses. <sup>89</sup>
1973	<i>Endangered Species Act of 1973</i> of Congress is adopted to protect threatened and endangered plants, birds, and animals. <sup>90</sup>

See also - The Incalculably Important Admission Colorado Makes to the Arapaho and Cheyenne on the 150th Anniversary of the Sand Creek Massacre -

<http://cscl.colibraries.org/sites/default/files/The%20Incalculably%20Important%20Admission%20Colorado%20Makes%20To%20The%20Arapaho%20And%20....pdf>

82. Act of Nov. 7, 1861, 1861 Colo. Sess. Laws 154, 154 (establishing a common school system).

83. Act of Aug. 15, 1862, 1862 Colo. Sess. Laws 95 (creating a fund to benefit schools).

84. COLO. CONST. art. IX, § 2 (adopted in Convention and passed by popular election 1876).

85. *Id.* §§ 5, 9–10.

86. COLO. CONST. art. XVIII, § 6 (adopted in state constitutional convention and passed by popular election in 1876).

87. Wilderness Act, Pub. L. 88-577, § 2(a), 78 Stat. 890, 890 (1964).

88. Clean Air Act Amendments of 1970, Pub. L. 91-604, 84 Stat. 1676; COLO. REV. STAT. § 25-7-101-139 (2012).

89. Act of March 1, 1972, Pub. L. 92-240, 86 Stat. 47 (1972); COLO. REV. STAT. § 25-8-101 (2012).

90. Endangered Species Act of 1973, Pub. L. 93-205, 87 Stat. 884.